



FEDERAL ELECTION COMMISSION
WASHINGTON, D C 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

JUN 13 2007

Anne Simeone, Treasurer
Simmons for Congress
33 Mayflower Ave.
P.O. Box 268 Drawer 271
Pawcatuck, CT 06379

RE: MUR 5917
Simmons for Congress and
Anne Simeone, in her official
capacity as treasurer

Dear Ms. Simeone:

In the normal course of carrying out its supervisory responsibilities, the Federal Election Commission (the "Commission") became aware of information suggesting Simmons for Congress (the "Committee") and you, in your official capacity as treasurer, may have violated the Federal Election Campaign Act of 1971, as amended (the "Act"). On May 23, 2007, the Commission found reason to believe that the Committee and you, in your official capacity as treasurer, violated 2 U.S.C. § 434(b), a provision of the Act. Enclosed is the Factual and Legal Analysis that sets forth the basis for the Commission's determination.

We have also enclosed a brief description of the Commission's procedures for handling possible violations of the Act. In addition, please note that you have a legal obligation to preserve all documents, records and materials relating to this matter until such time as you are notified that the Commission has closed its file in this matter. See 18 U.S.C. § 1519. In the meantime, this matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

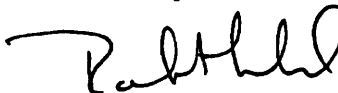
27044182835

27044182836

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed Designation of Counsel form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

We look forward to your response.

Sincerely,



Robert D. Lenhard
Chairman

Enclosures
Factual and Legal Analysis
Procedures
Designation of Counsel Form

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Simmons for Congress
and Anne Simeone,
in her official capacity
as treasurer

MUR: 5917

I. BACKGROUND

This matter was generated based on information ascertained by the Federal Election Commission ("the Commission") in the normal course of carrying out its supervisory responsibilities. *See* 2 U.S.C. § 437g(a)(2).

II. FACTUAL AND LEGAL ANALYSIS

Simmons for Congress (the "Committee") is the principal campaign committee for Rob Simmons, a 2006 Congressional candidate from Connecticut. *See* 2 U.S.C. § 431(5). Anne Simeone is the treasurer of the Committee (together, "Respondents"). On October 26, 2006, the Committee filed its 12-Day Pre-General Election Report with the Federal Election Commission (the "Commission"), as required by 2 U.S.C. § 434(a)(2)(A)(i). In the report, the Committee disclosed disbursements for operating expenditures totaling \$316,150.13. The Committee amended this report on November 20, 2006, disclosing an additional \$225,018 in disbursements for operating expenditures. In conjunction with the amendment, the Committee submitted a statement explaining that it had unintentionally omitted a wire transfer in the amount of \$225,000 from the original report.

On December 22, 2006, the Commission sent a Request for Additional Information ("RFAI") referencing the amended report and asking for clarification

27044182837

regarding the reported increase in disbursements. A representative of the Committee contacted the Commission and indicated there was no further information available regarding the reported increase in financial activity.

The treasurer of a political committee must file reports of all disbursements in accordance with the Act. 2 U.S.C. § 434(a)(1). If the political committee is the principal campaign committee of a candidate for the House of Representatives, the committee must file a pre-election report no later than the 12th day before any election in which the candidate is seeking election, or nomination for election, and which shall be complete as of the 20th day before the election. 2 U.S.C. § 434(a)(2)(A)(i). Such reports shall also disclose the total amount of all disbursements for that reporting period and calendar year. 2 U.S.C. § 434(b)(4).

Respondents did not comply with this reporting requirement when the Committee failed to disclose \$225,018.00 in disbursements in its original Pre-General Election Report. Based on the foregoing, there is reason to believe that Simmons for Congress and Anne Simeone, in her official capacity as treasurer, violated 2 U.S.C. § 434(b).

27044182838